(3) In any entry where the equipment is being operated outby the section loading point in areas of the mine developed on or after April 25, 1997;

(4) In any air course with single or multiple entries where the equipment is being operated outby the section loading point in areas of the mine developed prior to April 25, 1997; and

(5) At any other location required by the district manager and specified in the approved ventilation plan.

(g) The minimum ventilating air quantity where multiple units of diesel-powered equipment are operated on working sections and in areas where mechanized mining equipment is being installed or removed must be at least the sum of that specified on the approval plates of all the diesel-powered equipment on the working section or in the area where mechanized mining equipment is being installed or removed. The minimum ventilating air quantity shall be specified in the approved ventilation plan. For working sections such air quantity must be maintained—

(1) In the last open crosscut of each set of entries or rooms in each working section;

(2) In the intake, reaching the working face of each longwall; and

(3) At the intake end of any pillar line.

(h) The following equipment may be excluded from the calculations of ventilating air quantity under paragraph (g) if such equipment exclusion is approved by the district manager and specified in the ventilation plan:

(1) Self-propelled equipment meeting the requirements of § 75.1908(b);

(2) Equipment that discharges its exhaust into intake air that is coursed directly to a return air course;

(3) Equipment that discharges its exhaust directly into a return air course; and

(4) Other equipment having duty cycles such that the emissions would not significantly affect the exposure of miners.

(i) A ventilating air quantity that is less than what is required by paragraph (g) of this section may be approved by the district manager in the ventilation plan based upon the results of sampling that demonstrate that the lesser air quantity will maintain continuous compliance with applicable TLV®'s.

(j) If during sampling required by § 70.1900(c) of this subchapter the ventilating air is found to contain concentrations of CO or NO_2 in excess of the action level specified by § 70.1900(c), higher action levels may be approved by the district manager based on the results of sampling that demonstrate that a higher action level will maintain continuous compliance with applicable TLV®'s. Action levels other than those specified in § 70.1900(c) shall be specified in the approved ventilation plan.

(k) As of November 25, 1997 the ventilating air quantity required where diesel-powered equipment is operated shall meet the requirements of paragraphs (f) through (j) of this section. Mine operators utilizing diesel-powered equipment in underground coal mines shall submit to the appropriate MSHA district manager a revised ventilation plan or appropriate amendments to the existing plan, in accordance with § 75.371, which implement the requirements of paragraphs (f) through (j) of this section.

[61 FR 9828, Mar. 11, 1996; 61 FR 26442, May 28, 1996; 61 FR 29288, June 10, 1996, as amended at 61 FR 55526, Oct. 25, 1996; 62 FR 34641, June 27, 1997]

§ 75.326 Mean entry air velocity.

In exhausting face ventilation systems, the mean entry air velocity shall be at least 60 feet per minute reaching each working face where coal is being cut, mined, drilled for blasting, or loaded, and to any other working places as required in the approved ventilation plan. A lower mean entry air velocity may be approved in the ventilation plan if the lower velocity will maintain methane and respirable dust concentrations in accordance with the applicable levels. Mean entry air velocity shall be determined at or near the inby end of the line curtain, ventilation tubing, or other face ventilation control devices.

[61 FR 9828, Mar. 11, 1996; 61 FR 29288, June 10, 1996]

§ 75.327 Air courses and trolley haulage systems.

(a) In any mine opened on or after March 30, 1970, or in any new working

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